

RESOLUTION NUMBER 45-1989

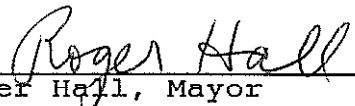
A RESOLUTION AGREEING TO SUPPLEMENT A LOCAL AGENCY AGREEMENT WITH THE STATE OF OREGON FOR TRAFFIC IMPROVEMENTS IN THE AREA OF KING ROAD, 42nd AVENUE, HARRISON AND MONROE STREETS.

WHEREAS, the City of Milwaukie, Oregon has entered into an agreement with the State of Oregon by and through its Department of Transportation, Highway Division, for street improvements, and

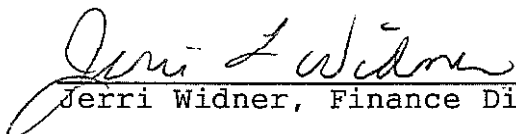
WHEREAS, the City of Milwaukie wishes to supplement said agreement with the State of Oregon in order to change construction engineering responsibilities,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie that the Mayor, the City Manager, and City Recorder are authorized and directed to sign the above supplemental agreement.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon, on the 19 day of December, 1989, at a regular meeting of the City Council.

  
\_\_\_\_\_  
Roger Hall, Mayor

ATTEST:

  
\_\_\_\_\_  
Jerri Widner, Finance Director

Approved as to form:

  
\_\_\_\_\_  
City Attorney

Approved: OSHD Staff  
EDM  
November 2, 1989

Misc. Contracts & Agreements  
No. 8521

LOCAL AGENCY AGREEMENT  
INTERSTATE TRANSFER PROJECT

THE OREGON STATE HIGHWAY DIVISION (State) and THE CITY OF MILWAUKIE, (City) entered into a Local Agency Agreement dated October 2, 1985, concerning the future construction on 42nd Avenue from King Road to Monroe, hereinafter referred to as 'Project'.

State and City have now determined that the aforementioned agreement, although remaining in full force and effect, should be supplemented by this agreement in order to change construction engineering responsibilities. Any further reference to said agreement shall include the following:

PROJECT ACTIVITIES (Standard Provisions):  
Paragraph No. 8 reads...

8. State shall, if the work is performed by the Agency or others, review and process or approve all environmental statements, preliminary plans, specifications and cost estimates, prepare the contract and bidding documents, advertise for bid proposals, award all contracts and, upon award of a construction contract, perform all necessary laboratory testing of materials, process and pay all contractor progress estimates, check final quantities and costs, and oversee and provide intermittent inspection services during the construction phase of the project. The actual cost of laboratory testing services provided by the State will be charged to the project construction engineering cost account number (prefix) and will be included in the total cost of the project.

Shall be changed to read...

8. State shall, if the work is performed by the Agency or others, review and process or approve all environmental statements, preliminary plans, specifications and cost estimates, prepare the contract and bidding documents, advertise for bid proposals, award all contracts and upon award of a construction contract, furnish all construction engineering, field testing of materials, technical inspection, and project manager services for administration of the contract. The actual cost of services provided by the State will be charged to the construction engineering account and will be included in the total cost of the project.

Contract No. 8521  
THE CITY OF MILWAUKIE

City shall enter into and execute this agreement during a duly authorized session of its City Council.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written.

This project was approved by the State Highway Engineer on September 9, 1985 under delegated authority from the Oregon Transportation Commission.

The Oregon Transportation Commission, by a duly adopted delegation order, authorized the State Highway Engineer to sign this agreement for and on behalf of the Commission. Said authority is set forth in the Minutes of the Oregon Transportation Commission.

APPROVAL RECOMMENDED

By [Signature]  
Region Engineer

APPROVED AS TO  
LEGAL SUFFICIENCY

By [Signature]  
City Attorney

STATE OF OREGON, by and through  
its Department of Transportation,  
Highway Division

By \_\_\_\_\_  
State Highway Engineer

Date \_\_\_\_\_

APPROVED AS TO  
LEGAL SUFFICIENCY

By \_\_\_\_\_  
Ass't. Attorney General  
THE CITY OF MILWAUKIE, by  
and through its Elected Officials

Agency Billing Address:

By [Signature]  
Mayor

By [Signature]  
Recorder

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